

REMARKS

Claims 1 to 9 are pending. Claims 1 to 9 are rejected. Claims 1 is currently amended to include an amendment made during the PCT prosecution of the priority application. The amendment was inadvertently left out of these national stage claims. Reconsideration of the application is requested.

OBJECTIONS**CLAIMS**

Claim 7 is objected to because on lines 2-4, the features “said contact section of ... of points simultaneously” are unclear. Applicant has amended claim 7 to clarify its meaning. Support for the amendment appears in the specification, e.g., at p. 12, lines 24-31. Applicant submits that claim 7 is suitable as amended and reconsideration of the claim is requested.

§ 102 REJECTIONS

Claims 1-2, 5-6 and 8-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Miyazaki (U.S. 7,220,146).

Applicant respectfully submits that according to MPEP 2131 “[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” (citing *Verdegall Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)).

Although this national stage application was filed with the USPTO on April 20, 2006, the International filing date of the PCT application was September 22, 2004, which PCT application claimed priority to a Japanese application filed on October 31, 2003. Miyazaki was filed with the USPTO on February 27, 2006 and has a foreign application priority date of February 28, 2005. Accordingly, Miyazaki is not prior art to the present application.

For these reasons, Applicant submits that the cited reference will not support a 102(e) rejection of the claims and request that the rejection be withdrawn.

§ 103 REJECTIONS

Claims 3-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyazaki (U.S. 7,220,146).

Applicant respectfully submits that according to MPEP 2142, to establish a case of *prima facie* obviousness, three basic criteria must be met: 1) there must be some suggestion or motivation, either in the prior art references or generally known to one skilled in the art, to modify or combine reference teachings, 2) there must be reasonable expectation of success, and 3) the prior art references must teach or suggest all the claim limitations. The ability to modify the method of the references is not sufficient. The reference(s) must provide a motivation or reason for making the changes. *Ex parte Chicago Rawhide Manufacturing Co.*, 226 USPQ 438 (PTO Bd. App. 1984).

Although this national stage application was filed with the USPTO on April 20, 2006, the International filing date of the PCT application was September 22, 2004, which PCT application claimed priority to a Japanese application filed on October 31, 2003. Miyazaki was filed with the USPTO on February 27, 2006 and has a foreign application priority date of February 28, 2005. Accordingly, Miyazaki is not prior art to the present application.

For these reasons, Applicant submits that the cited references will not support a 103(a) rejection of the claims and request that the rejection be withdrawn.

In addition to the foregoing arguments, Applicant submits that a dependent claim should be considered allowable when its parent claim is allowed. *In re McCarn*, 101 USPQ 411 (CCPA 1954). Accordingly, provided the independent claims are allowed, all claims depending therefrom should also be allowed.

Based on the foregoing, it is submitted that the application is in condition for allowance. Withdrawal of the rejections under 35 U.S.C. 102(e) and 103(a) is requested. Examination and reconsideration of the claims are requested. Allowance of the claims at an early date is solicited.

The Examiner is invited to contact Applicant's attorney if the Examiner believes any remaining questions or issues could be resolved.

Respectfully submitted,

Dec. 3, 2007
Date

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